IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

WP(C).No. 6468 of 2007(T)

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PETITIONER:

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1. P. SREEKUMAR, S/O.KUNHIRAMAN NAIR,
   MAVELI STORE, THIRUVANNUR, KOZHIKODE.

2. O. VIJAYAN, LABHAM MARKET,
   CHATHAMANGALAM, KODUVALLY UNIT.

3. P. RADHAKRISHNAN, MAVELI STORE,
   VAZHIPOOKU, KOZHIKODES DEPOT.

4. M. MANOHARAN, MAVELI STORE,
   KAKKOOR, KODUVALLY.

5. K. VENUNATH, MAVELI STORE,
   KAKKODI, KOZHIKODE.

6. V. MURALEEDHARAN, DISTRICT DEPOT,
   BEYPORE, KOZHIKODE.

7. K.K. HAMEED, S/O.KUNHIKOYA,
   MAVELI STORE, KUTTICHIRA, CALICUT DEPOT.

8. DEVI. P., MAVELI STORE,
   VAZHIPOKKU, KOZHIKODE.

9. SHYAMALA DEVI. P., MAVELI STORE,
   PALAYAM, KOZHIKODE.

10. K.K. PEETHAMBARAN, LABHAM MARKET,
    NGO QUARTERS, CALICUT DEPOT.

11. CHANDRA SEKHARAN. P.P.,
    SUPPLYCO SUPER MARKET, KOZHIKODE.

12. BASHEER. P., MAVELI STORE,
    PAREAMBATH, CALICUT DEPOT.

13. SIVADASAN. K., LABHAM MARKET,
    NGO QUARTERS, CALICUT.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS:
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1. STATE OF KERALA, REP. BY THE
   SECRETARY, DEPARTMENT OF FOOD AND CIVIL
   SUPPLIES, SECRETARIAT, THIRUVANANTHAPURAM.

2. KERALA STATE CIVIL SUPPLIES
   CORPORATION, REP. BY ITS MANAGING DIRECTOR,
   THIRUVANANTHAPURAM.

3. THE REGIONAL MANAGER, SUPPLYCO,
   REGIONAL OFFICE, JAIL ROAD, KOZHIKODE.

4. THE DEPOT MANAGER,
   SUPPLYCO, KOZHIKODE.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**K.K.DENESAN, J.**

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**WP(C)No. 6468 OF 2007**

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**Dated this the 2nd March, 2007.**

**JUDGMENT**

The petitioners are working as Assistant Salesmen in the Kerala State Civil Supplies Corporation, Kozhikode. As per proceedings dated 17.10.2001 memo of charges was issued to one Venunath stating that during 1996-97 certain irregularities were noticed. Initially a memo was issued to him to offer his explanation. Identical charges were levelled against the petitioners also. The petitioners denied the charges and submitted explanation. As directed, they appeared for a personal hearing before the concerned authorities. Thereafter the disciplinary proceedings were finalised fixing a liability of Rs.1,62,241/- and ordering that the share of the petitioners would be Rs. 64,896.50 vide Ext.P6 order dated 19.12.2006 passed by the Regional Manager of the respondent-Corporation. Challenging Ext.P6 order this writ petition has been filed.

2. It appears that Ext.P6 has been passed by way of penalty. The petitioners have got a remedy to assail Ext.P6 before the Managing Director of the Corporation. The petitioners will have to avail that remedy and thereafter only they will be justified in approaching this

Court. Hence, without prejudice to the right of the petitioners to file appropriate representations or appeals, as the case may be, before the Managing Director of the respondent-Corporation, this writ petition is disposed of.

**K.K.DENESAN**
**Judge**

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